

CHAPTER 9

EVALUATION AND SELECTION

Selection Committee Guidelines

The evaluation and selection process shall be in accordance with the competitive solicitation and this Manual. In order to provide a selection process that is fair and equitable for all respondents, and in relation to competitive solicitations that require an evaluation process, the following Selection Committee Guidelines shall be followed:

1. Intent:

These Guidelines provide a summary of the expectations, rules, processes and procedures applicable to the evaluation of proposals and replies by a Selection Committee.

2. Committee Task:

To evaluate written responses, provide for oral presentations, and/or conduct interviews (where applicable), and pursuant to an advertised competitive solicitation which requires an evaluation; to rank the respondents based on the criteria listed in the solicitation; and when specified in the solicitation, to conduct negotiations with the top ranked vendor. Selection Committees are not charged with the responsibility of making policy decisions or final award decisions.

3. Committee Members:

The Selection Committee will typically consist of five staff members. ~~The Manager shall appoint three (3) persons to be standing members of the Selection Committee, each of whom shall have experience with and general knowledge of this Manual. The fourth and fifth members of the Committee shall be selected on a case by case basis by the Manager, and shall possess technical knowledge regarding the subject matter of the particular solicitation. The Manager may alter the Selection Committee size and membership when deemed in Wellington's best interest to do so. When altering the Selection Committee membership, the Manager may select persons who are not staff members, including, but not limited to entire standing advisory boards and committees or an ad hoc committee selected for this purpose. The Manager may also utilize outside consultants with professional expertise regarding a particular selection. Prior to using an alternate Selection Committee, the Manager shall receive the advice and consent on the Committee's makeup and membership from the Council. Such advice and consent~~

~~requires the approval of a majority vote of a quorum of the Council at a regular or special meeting wherein the issue is set forth on the Council Agenda.~~

4. Responsibilities:

Each member of the Selection Committee shall be responsible for reading, understanding, and complying with the provisions of this document.

All proposals/responses/replies submitted to Wellington for consideration must be submitted to the Clerk's Office by the respondents and will be accepted up to the advertised date and time. Subject to the terms of this Manual, and Florida Statutes, Sections 119.071, and 255.0518, all proposals will be opened and acknowledged at a time and place open to the public.

The Purchasing Division will facilitate the evaluation process and shall be responsible for the following:

- a. Maintaining the integrity of the overall evaluation process;
- b. Scheduling and posting, in accordance with Florida Statutes, all Committee meeting dates and locations;
- c. Ensure proper audio and video recording and storing of all Committee actions;
- d. Documenting members' scoring and ranking information;
- e. Posting final rankings and issuing Notices of Intent;
- f. Communicating the Committee's recommendation(s) to the Council.

The Selection Committee meetings must follow the requirements of Florida Statute 286.011 for Public Meetings and notice of such meetings must be posted at least 72 hours in advance. These meetings are open to the general public, which can include proposers who have submitted responses to Wellington solicitations. No public comment will be taken during the Selection Committee meeting unless otherwise required by law. Nothing herein shall preclude the Selection Committee from seeking additional information from staff or individual proposers. The public will have an opportunity to be heard in accordance with applicable law and this Manual.

Attendance of all Committee members at all scheduled meetings is essential to the quality of the evaluation process. All Selection Committee members shall attend all scheduled meetings, including oral presentations/interviews, and adhere to set timelines.

Under no circumstances will individual Selection Committee members communicate, by any means, regarding the competitive solicitation outside of the scheduled and publicly posted Selection Committee meetings. The Purchasing Division representative shall monitor any communication regarding the solicitation. Any Selection Committee member contacted by anyone regarding the competitive solicitation at any time during the solicitation process shall notify the Purchasing Division immediately.

The following items will be provided by the Purchasing Division representative to each Selection Committee member in advance of the first meeting:

- a. Copy of the subject competitive solicitation, and all Addendums;
- b. One hard copy or electronic version of each proposer's submittal; and
- c. Copy of Selection Committee scoring sheet including all scoring criteria.

5. Evaluation:

Each Selection Committee member will initially review and evaluate the written proposals from all respondents, individually. There shall be no discussion regarding the solicitation amongst any Selection Committee members during the individual evaluation process and outside of a scheduled Selection Committee meeting.

Evaluations shall be based on the predetermined set of criteria only. No other criteria may be used. All criteria must be scored in accordance with the solicitation.

Scoring sheets may be filled out at the Selection Committee meeting after the members have had the opportunity to discuss the solicitation during the public meeting. Each Selection Committee member shall convert his/her cardinal score to an ordinal number or ranking. The proposer with the highest cardinal score will receive an ordinal score or ranking of one (1). The proposer with the next highest cardinal score will receive an ordinal score or ranking of two (2) and so on until all proposers are given an ordinal number or ranking. The ordinal scores or rankings for each proposer shall be added together to arrive at a Total Ordinal Score or Ranking. The proposer with the lowest total ordinal score or ranking will be ranked highest for award preference. The proposer with the second lowest total ordinal score or ranking will be ranked second highest for award preference and so on. The Selection Committee will determine whether presentations/interviews with short listed proposers are desired or required based on the competitive solicitation document.

If presentations/interviews with the short listed proposers are desired or required, the Selection Committee will identify which proposers will be asked to provide an oral presentation/interview, based on the initial rankings. The Selection Committee may request presentations/interviews from as many proposers as it deems necessary. All proposers to be scheduled for presentations/interviews will be notified in writing by the Purchasing Division representative and in sufficient time (approximately 7-days) with regard to the date time and location.

Oral presentations/interviews with a minimum of three proposers are required for all Professional Service RFQ's for the selection of Architect, Engineer, Landscape Architect, and Land Surveying services, in accordance with Florida Statute 287.055 (CCNA).

6. Meetings:

Meetings will be conducted in accordance with Section 286.011, Florida Statutes, and this Manual. In accordance with Florida Statutes, Section 286.0113, however, portions of Selection Committee meetings shall be closed in certain circumstances. Specifically, any portion of a meeting at which a negotiation with a vendor is conducted pursuant to a competitive solicitation, at which a vendor makes an oral presentation as part of a competitive solicitation, or at which a vendor answers questions as part of a competitive solicitation shall be closed. Additionally, portions of a Selection Committee meeting at which negotiation strategies are discussed shall be closed. The closed portions of the Selection Committee meetings

must still be recorded and, together with any records presented during the closed portion, are not subject to disclosure until the time of an intended award decision or until 30 days of the bid, proposal, or reply opening, whichever occurs earlier (F.S., 286.0113(2)(C)). If Wellington rejects all bids, proposals, or replies and concurrently provides notice of its intent to reissue a competitive solicitation, the recording and any records presented at the closed portion of the meeting(s) remain exempt from disclosure until such time as Wellington provides notice of an intended decision concerning the reissued competitive solicitation or until Wellington withdraws the reissued competitive solicitation. A recording and any records presented at a closed portion of a meeting(s) are not exempt for longer than 12 months after the initial notice rejecting all bids, proposals, or replies.

PROCEDURES:

The Selection Committee, after all proposals have been reviewed, evaluated, and initially ranked or short listed, shall conduct oral presentations/interviews (if necessary) and vote on a final ranking. NOTE: the initial scoring of written proposals is used to determine the short-list, where the oral presentation/interview is used as part of the process to determine the final ranking. The oral presentation/interview scoring will follow the same format as the written proposal scoring unless a different weight or procedure is set forth in the competitive solicitation.

The Purchasing Division representative will draft a Notice of Intent to award the contract to be publicly posted electronically at which time the three (3) day protest period will begin. If no protests are received during the three (3) day protest period, recommendation of award will be forwarded to Council for approval.

Council reserves the right to make all final decisions regarding a competitive solicitation, including the final award or decision to reject all bids, proposals or replies. Nothing herein shall be construed to restrict the Manager's right to terminate a competitive solicitation process where deemed in the best interest of Wellington. Additionally, Wellington may reject any bid, proposal or reply for any of the following reasons:

- a. If the evidence submitted by the bidder/proposer/respondent or the investigation of such bidder/proposer/respondent fails to satisfy Wellington that such bidder/proposer/respondent is qualified or responsible to carry out the obligations and to complete the work contemplated therein. In determining whether a bidder/proposer/respondent is responsible, Wellington shall have the authority, in its sole discretion, to consider matters such as past performance, references, litigation history, criminal records, prior and pending claims and disputes with Wellington or other public agencies, including relevant information as to the vendor's affiliated entities and principals, and such other matters as may be deemed relevant in determining responsibility.
- b. If there is reason to believe collusion exists among the bidders/proposers/respondents.
- c. If the bid/proposal/reply is not responsive, not properly delivered, not properly signed or is unsigned, shows serious omissions, alterations in form, additions not called for, unauthorized conditions, or irregularities of any kind. Wellington reserves the right to waive such technical errors and minor irregularities as may be deemed in the best interest of Wellington.

Note: Subject to F.S., Sections 119.071 and 255.0518, and the provisions of this Manual, sealed bids, proposals and replies are opened in public at the location designated by the Purchasing Division in the solicitation. All bids, proposals, and replies are read aloud to identify the bidder and are recorded for purposes of documenting submissions received by applicable deadlines. With respect to ITB's, Wellington staff will first review the bids, following which a contract will be awarded by Council to the lowest responsive and responsible bidder, in accordance with the terms and conditions of the ITB. For RFP's, an award will be made to the responsible offeror whose proposal is determined to be the most advantageous to Wellington, taking into consideration the price and other evaluation criteria and factors set forth in the RFP. For RFQ's, ITN's, and RLI's, an award will be made to the respondent determined to be the most qualified and who negotiates a contract on terms and conditions deemed most advantageous by Wellington, and in accordance with the solicitation and applicable law.

In the case of construction solicitations, the initiating department shall be responsible for ensuring plans and specifications are reviewed and approved by the building department and that the design professional has obtained all necessary approvals prior to advertising bid documents. To the extent any plans, specifications or other materials are exempt from public disclosure pursuant to F.S., Section 119.071, and as a condition of receiving a copy of the exempt materials, prospective bidders may be required to execute an agreement to maintain the exempt status of the information in order to effectuate the provisions of F.S., Section 119.071(3). Further, all City Departments shall coordinate their efforts.